

CHAPTER 9 WATERFRONT DISTRICTS

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900 GENERAL PROVISIONS: WATERFRONT DISTRICTS

- 900.1 The Waterfront(W) zone districts are applied to waterfront areas that have one (1) or more of the following characteristics:
- (a) Geographically, historically, or locationally unique;
 - (b) Adjacent to well-established residential areas;
 - (c) Are undergoing transition from light and heavy industrial uses to office and commercial uses: and
 - (d) Where the public health, safety, general welfare, and amenity would be promoted and protected by the encouragement of mixed uses.
- 900.2 The Waterfront district shall be subdivided into W-1, W-2, and W-3 districts.
- 900.3 The W- 1 district permits only a low height and density, the W-2 allows a medium height and density, and the W-3 allows the greatest height and density of the three (3) Waterfront districts.

- 900.4** The purpose of the Waterfront districts shall be to encourage a diversity of compatible land uses at various densities; including combinations of residential, offices, retail, recreational. and other miscellaneous uses.
- 900.5 Waterfront districts shall also be intended to be relatively self-contained by supplying a variety of housing, service, employment; and recreational opportunities in one (1) location. This characteristic allows one (1) area to serve many different needs of a single population and to thereby reduce the amount of vehicular traffic generated by the uses in the districts.
- 900.6 Except as provided in chapter 21 of this title, in the Waterfront districts, no building or premises shall be used and no building shall be erected or altered that is arranged, intended, or designed to be used except, as specified in §§901 and 902, and 906 through 915.

901 USES AS A MATTER OF RIGHT (W)

- 901.1 The following uses shall be permitted in a Waterfront district as a matter of right:
- (a) Dwelling, flat, or multiple dwelling;
 - (b) Rooming or boarding house;
 - (c) Community center;
 - (d) Hotel or inn;
 - (e) Church or other place of worship;
 - (f) Certain Community-Based Residential Facilities, as limited by the following:
 - (1) Youth residential care home, community residence facility, or health care facility for not more than six (6) persons, not including resident supervisors or staff and their families; or for not more than eight (8) persons, including resident supervisors or staff and their families; Provided, that the number of persons being cared for shall not exceed six (6); and
 - (2) Emergency shelter for not more than four (4) persons, not including resident supervisors or staff and their families;
 - (g) Youth residential care home, community residence facility, or health care facility for seven (7) to fifteen (15) persons, not including resident supervisors or staff and their families: Provided, that there shall be no property containing an existing community-based residential facility for

seven (7) or more persons in the same square and **that** there shall be no property containing an existing community-based residential facility for seven (7) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property;

- (h) Retail sales or services not specified in §902 and §§905 through 915;
 - (i) Office;
 - (j) Private club, restaurant, fast food restaurant, or food delivery service; Provided, that a fast food restaurant or food delivery service shall not include a drive-through;
 - (k) Artist's studio;
 - (l) Private or public theater;
 - (m) Boat club or marina;
 - (n) Swimming pool;
 - (o) Recreational building or use;
 - (p) Park or open space;
 - (q) Library
 - (r) Museum;
 - (s) Embassy, chancery, or international organization;
 - (t) Child/elderly development center; and
 - (u) Antenna, subject to the standards and procedure which apply to the particular class of antenna pursuant to §§201.2 through 201.7.
- 901.2 Accessory use (including parking), building, or structure customarily incidental and subordinate to the principal uses permitted in §901.1 shall be permitted in a Waterfront district as a matter of right.
- 901.3 Mechanical amusement machines shall be permitted in a Waterfront district as a matter of right, as accessory to the following uses:
- (a) Hotel or inn;
 - (b) Retail sales or services not specified in §902 and §§906 through 915;
 - (c) Restaurant or private club;
 - (d) Boat club or marina; and

- (e) **Private** school, **trade** school, college, or university; but only to a college or university, subject to the provisions of §2501.

901.4 A child/elderly development home shall be permitted in a Waterfront district as a matter of right, as an accessory use; Provided, that the dwelling unit in which the use is located shall be the principal residence of the caregiver and that the use shall otherwise meet the definition of a home occupation.

902 PROHIBITED USES

902.1 The following uses shall be specifically prohibited in Waterfront districts:

- (a) Animal hospital or veterinarian;
- (b) Automobile or motorcycle sales or repairs;
- (c) Car wash;
- (d) Chemical manufacturing, storage, or distribution;
- (e) Drive-in establishment (any establishment where goods or services are rendered directly to occupants of motor vehicles);
- (f) Enameling, plating, or painting (except artist's studio) as a principal use;
- (g) Gasoline service station;
- (h) Material salvage;
- (i) Outdoor advertising or billboard;
- (j) Outside material storage;
- (k) Packing or crating operation;
- (l) Parking lot;
- (m) Smelting or rendering;
- (n) Carting, express, moving, or hauling terminal or yard;
- (o) Any industrial use prohibited in the M district;
- (p) Any establishment that has as a principal use the administration of massages: and

- (q) **Sexually-oriented** business establishment.

903 - 904 [RESERVED]

905 PLANNING OFFICE REVIEW(w)

905.1 Wherever the provisions of §§906 through 929 require referral of an application to the Office of Planning for coordination, review, and report, the report shall consider the following:

- (a) Whether the proposed use furthers the objectives of the Waterfront districts;
- (b) The relationship of the proposed use to other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of other departments and agencies of the District government;
- (c) The proposed site plan, including the relationship of different uses on the site;
- (d) The effect of the proposed site plan on neighboring properties; and
- (e) Other considerations that are deemed appropriate for report.

905.2 Whenever the Office of Planning refers an application to the D.C. Department of Public Works under §§906 through 929, the report shall consider the following transportation and environmental matters:

- (a) Considerations of the traffic to be generated;
- (b) The location and design of vehicular access and parking facilities;
- (c) The number of parking and loading facilities;
- (d) The treatment of public space;
- (e) The availability of sewer and water capacity;
- (f) Considerations of air quality;
- (g) Considerations of noise from commercial, industrial, and traffic sources; and

- (h) Other considerations that are deemed appropriate for report.

906 HOSPITALS AND CLINICS (W)

- 906.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a hospital or clinic shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.
- 906.2 The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.
- 906.3 The facility shall be located so that it is not likely to become objectionable to surrounding and nearby property because of noise, traffic, or parking.
- 906.4 There shall be a demonstrated need for the facility
- 906.5 The applicant shall submit to the Board a detailed plan for the hospital or clinic and accessory facilities.
- 906.6 The plan required in §906.5 shall include the following:
- (a) Location, height, and bulk of all improvements, but not limited to buildings, parking, and loading facilities:
 - (b) Screening, signs, and public utility facilities; and
 - (c) A description of the activities to be carried on at the hospital or clinic, including the capacities of the various facilities within the hospital or clinic.
- 906.7 Before taking final action on an application for use as a hospital or clinic, the Board shall refer the application to the Office of Planning for coordination, review, and report. The application shall include reports and recommendations from all appropriate District agencies.

907 UTILITIES (W)

- 907.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, an electric sub-station, natural gas regulator station, public utility pumping station, or telephone exchange shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.

- 907.2 Requirement for setbacks and screening shall be established by the Board.
- 907.3 The Board shall establish other safeguards as deemed necessary for protection of the neighborhood.

908 BOWLING ALLEYS (W)

- 908.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a bowling alley shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.
- 908.2 The use shall not be within twenty-five feet (25 ft.) of a Residential district unless separated from the Residential district by a street or alley.
- 908.3 Soundproofing to the extent deemed necessary for the protection of adjoining and nearby property shall be required.
- 908.4 Before taking final action on an application for bowling alley use, the Board shall refer the application to the Office of Planning and Development for coordination, review, and report. The report shall include the recommendations of all appropriate District agencies.
- 908.5 The Board may impose requirements pertaining to design, appearance, screening, lighting, signs, and other requirements as it deems necessary for the protection of neighboring or adjacent property.

909 MANUFACTURING AND PROCESSING (W)

- 909.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a light manufacturing, processing, fabricating, or milling establishment shall be permitted as special exceptions in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.
- 909.2 The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.
- 909.3 The use shall comply with the standards of external effects for C-M districts contained in §804 of chapter 8 of this title and, further, shall have no adverse effects on other uses on the same or adjoining properties.
- 909.4 The use shall not result in dangerous or otherwise objectionable traffic conditions.

- 909.5** There shall be adequate off-street parking for trucks and other service vehicles.
- 909.6 There shall be no outdoor storage of materials.
- 909.7 The Board may impose requirements pertaining to design, appearance, screening, and other requirements as it deems necessary for the protection of neighboring or adjacent properties.
- 909.8 Before taking final action on an application for the use, the Board shall refer the application to the DC. Office of Planning for coordination, review, and report. The report shall include the recommendations of all appropriate District agencies.

910 WAREHOUSES AND WHOLESALERS (W)

- 910.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a warehouse or wholesale use shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of §909.

911 BUILDING SERVICE TRADES (W)

- 911.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a building service trade, including but not limited to plumber, electrician, exterminator, or air-conditioning mechanic, shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of §909.

912 SCHOOLS AND COLLEGES (W)

- 912.1 If the Board considers that it is appropriate in furthering the objectives of the Waterfront district, a private school, trade school, college, or university shall be permitted as a special exception in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.
- 912.2 The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.
- 912.3 The use shall be designed and located so that it is not likely to become objectionable because of noise, traffic, number of students, or other conditions.

912.4 In the case of a college or university, the applicant shall submit to the Board a plan for developing the campus as a whole.

912.5 The plan required in §912.4 shall include the following:

- (a) The location, height, and bulk, where appropriate, of all present and proposed improvements, including but not limited to buildings, parking and loading facilities, screening, signs, streets, and public utility facilities, and athletic and other recreational facilities;
- (b) A description of all activities conducted or to be conducted in the facilities; and
- (c) The capacity of present and proposed campus development.

912.6 Before taking final action on an application for use as a college or university, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report. The report shall include the recommendations of appropriate agencies of the District government.

913 COMMUNITY-BASED RESIDENTIAL FACILITIES (W)

913.1 If the Board considers that they are appropriate in furthering the objectives of the Waterfront district, community-based residential facilities in the following categories shall be permitted as special exceptions in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title:

- (a) Youth residential care home or community residence facility or sixteen (16) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §358;
- (b) Health care facility for sixteen (16) to three hundred (300) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §359;
- (c) Emergency shelter for five (5) to twenty-five (25) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §358; and
- (d) Youth rehabilitation home, adult rehabilitation home, or substance abusers' home for one (1) to twenty (20) persons, not including resident supervisors or staff and their families, subject to the standards and requirements of §§358.2 through 358.7.

914 ANTENNAS (W)

- 914.1 If the Board considers that it is appropriate in furthering the objections of the Waterfront Districts, an antenna shall be permitted as a special exception in the CR district, if approved by the Board of Zoning Adjustment subject to the standards and procedures which apply to the particular class of antenna under §211 or §212.

915 MISCELLANEOUS USES (W)

- 915.1 If the Board considers that they are appropriate in furthering the objectives of the Waterfront district, other uses not specified in §902 and §§906 through 913 shall be permitted as special exceptions in a Waterfront district when authorized by the Board of Zoning Adjustment in accordance with the conditions specified in §3108 of chapter 31 of this title, subject to the provisions of this section.
- 915.2 The facility shall be designed to enhance the visual and recreational opportunities offered by the Waterfront.
- 915.3 The use shall not adversely effect the present character or future development of the neighborhood.
- 915.4 No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use.
- 915.5 The Board may impose requirements pertaining to the design, appearance, and screening, and other requirements as it deems necessary for the protection of neighboring or adjacent property.
- 915.6 Before taking final action on an application for the use, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report. The report shall include the recommendations of all appropriate District agencies.

916 - 929 [RESERVED]**930 HEIGHT OF BUILDINGS OR STRUCTURES (W)**

- 930.1 Except as provided in this section, the height of buildings and structures shall not exceed the maximum height set forth in the following table:

930.1 (Continued)

DISTRICT	MAXIMUM HEIGHT
W-1	40 feet
W-2	60 feet
W-3	90 feet

- 930.2 Spires, towers, domes, pinnacles or minarets serving as architectural embellishments, penthouse over elevator shaft, ventilator shaft, antennas, chimneys, smokestacks or fire sprinkler tanks may be erected to a height in excess of that which this section otherwise authorizes.
- 930.3 If housing for mechanical equipment, a stairway or elevator penthouse is provided on the roof of a building or structure, it shall be erected or enlarged as follows:
- (a) It shall meet the requirements of §411;
 - (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located; and
 - (c) It shall not exceed eighteen feet six inches (18 ft. 6 in.) in height above the roof upon which it is located. Mechanical equipment shall not extend above the permitted eighteen foot six inch (18 ft. 6 in.) height of the housing.
- 930.4 Housing for mechanical equipment, a stairway or elevator penthouse may be erected to a height in excess of that authorized in the district in which it is located.

931 FLOOR AREA RATIO (W)

- 931.1 In the W-1 district, the floor area ratio of all buildings and structures on a lot shall not exceed two and five-tenths (2.5), not more than one (1.0) of which may be used for other than residential purposes.
- 931.2 In the W-2 district, the floor area ratio of all buildings and structures on a lot shall not exceed four (4.0), not more than two (2.0) of which may be used for other than residential purposes.
- 931.3 In the W-3 district, the floor area ratio of all buildings and structures on a lot shall not exceed six (6.0), not more than five (5.0) of which may be used for other than residential purposes.
- 931.4 For the purposes of this section, "residential purposes" shall include dwellings, flats, multiple dwellings, rooming and boarding houses, community-based residential facilities, inns, and guest room areas and service areas within hotels.

SOURCE: §§4404.1 through 4404.4 of Regulations effective May 12, 1958; as amended by Final Rulemaking published at 27 DCR 2066.2070 (May 16, 1980), and by Final Rulemaking published at 28 DCR 3482, 3500 (August 7, 1981).

932 PERCENTAGE OF LOT OCCUPANCY (W)

- 932.1 No building or portion of a building devoted to residential use, including accessory buildings, shall occupy the lot upon which it is located in excess of the percentage of lot occupancy set forth in the following table:

DISTRICT	PERCENTAGE OF LOT OCCUPANCY
W-1	80%
W-2, W-3	75%

- 932.2 For the purposes of this section, the percentage of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin.
- 932.3 For the purposes of this section, “residential use” shall be dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

933 REAR YARDS (W)

- 933.1 A rear yard shall be provided for each residential building or structure.
- 933.2 When the residential use begins at or below grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof, but not less than twelve feet (12 ft.).
- 933.3 When the residential use begins above grade, the minimum depth of rear yard shall be three inches per foot (3 in./ft.) of vertical distance from the horizontal plane upon which the residential use begins to the highest point of the main roof, but not less than twelve feet (12 ft.). The rear yard shall be provided at and above the residential plane.
- 933.4 For the purposes of this section, “residential building or structure” shall include those used as or intended to be used as dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, hotels, inns, and community-based residential facilities.

934 SIDE YARDS (W)

934.1 No side yard shall be required in a Waterfront district.

934.2 If a side yard is provided, its minimum width shall be at least eight feet (8 ft.)

935 COURTS (W)

935.1 Where a court is provided in a Waterfront district, the court shall have the following minimum dimensions:

STRUCTURE	WIDTH OF OPEN COURT	AREA AND WIDTH OF CLOSED COURT
Residential building	4 in. per foot of height; Minimum: 10 ft.	Width: 4 in. per foot of height; Minimum: 15 ft. Area: 2 x square of required width; Minimum: 350 ft. ²
Hotel and l"	3 in. per foot of height; Minimum: 10 ft.	Same as above
Other structure	2% in. per foot of height; Minimum: 6 a.	Width: 2½ in. per foot of height; Minimum: 12 ft. Area: 2 x square of required width; Minimum: 250 ft. ²

935.2 In the case of a building devoted to both residential and non-residential uses, the minimum width and area of a court shall be computed as follows:

- (a) When the residential and non-residential uses are located on different floors of the building, the width and area requirements shall be computed for each use at the plane of each floor of the building; and
- (b) When the residential and non-residential uses are located on the same floor of the building, the width and area requirements for that plane shall be computed based on the requirements for a residential building set forth in §936.1.

935.3 For the purposes of this section, "residential building" shall be dwellings, flats, multiple dwellings, rooming and boarding houses, hospitals, and community-based residential facilities.

935.4 No required opening for the admission of light and natural ventilation shall open onto a court niche where the ratio between the width of court niche and the depth of court niche is less than two to one (2: 1)

- 935.5 No portion of a court niche shall be further than three feet (3 ft.) from a point where the court niche is less than three feet (3 ft.) wide.

936 **ROOF STRUCTURES (W)**

- 936.1 The provisions of §411 shall apply to roof structures in the Waterfront districts.
- 936.2 The gross floor area of roof structures permitted under this section shall not be counted in determining the required number of off-street parking spaces or required number of loading berths as specified elsewhere in this title.

999 **DEFINITIONS**

- 999.1 The provisions of §199 of chapter 1 of this title, and the definitions set forth in that section, shall be incorporated by reference in this section.